

AMENDED IN ASSEMBLY AUGUST 29, 2011

AMENDED IN SENATE MAY 31, 2011

SENATE BILL

No. 263

Introduced by Senator Pavley

February 10, 2011

An act to amend ~~Sections 13752 and 13755~~ *Section 13752* of the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

SB 263, as amended, Pavley. Wells: reports: public availability.

Existing law requires a person who digs, bores, or drills a water well, cathodic protection well, or a monitoring well, or abandons or destroys a well, or deepens or reperfors a well, to file a report of completion with the Department of Water Resources. Existing law prohibits those reports from being made available to the public, except under certain circumstances.

This bill would instead require the department to make the reports available to the public. The bill would require the department to provide a specified disclaimer when providing the reports to the public. ~~The bill would prohibit the State Department of Public Health from preventing the disclosure of information provided in the reports.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 13752 of the Water Code is amended to
2 read:

1 13752. (a) The department shall make available to the public
2 a report made in accordance with paragraph (1) of subdivision (b)
3 of Section 13751.

4 (b) When providing a report to the public pursuant to subdivision
5 (a), the department shall also provide a statement that includes all
6 of the following:

7 (1) The information provided in a report varies in accuracy,
8 scale, origin, and completeness.

9 (2) The information is provided without warranty of the
10 suitability of the information for any particular purpose.

11 (3) Use of the information in the report may require professional
12 interpretation or judgment.

13 (4) Any use of the information provided in a report is at the
14 user's own risk.

15 ~~SEC. 2. Section 13755 of the Water Code is amended to read:~~

16 ~~13755. (a) Except as provided in subdivision (b), this chapter~~
17 ~~does not affect the powers and duties of the State Department of~~
18 ~~Public Health with respect to water and water systems pursuant to~~
19 ~~Chapter 4 (commencing with Section 116270) of Part 12 of~~
20 ~~Division 104 of the Health and Safety Code. Every person shall~~
21 ~~comply with this chapter and any regulation adopted pursuant~~
22 ~~thereto, in addition to standards adopted by any city or county.~~

23 ~~(b) Notwithstanding Section 6255 of the Government Code, the~~
24 ~~State Department of Public Health shall not prevent the disclosure~~
25 ~~of information provided in a report made in accordance with~~
26 ~~paragraph (1) of subdivision (b) of Section 13751.~~